

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ribeiro, Claudio. et al.

SERIAL NO.: 10/731,490

FILED: 09 December 2003

EXAMINER: Lee, John

GROUP: 2684

CASE NO.: CS23471RL

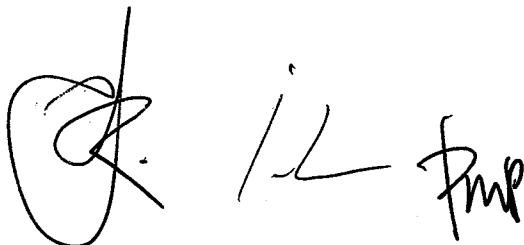
ENTITLED: User Interface

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
Alexandria, Virginia 22313-1450

Sir:

The following Declaration and any attachments are to establish conception in the United States of claimed subject matter in the referenced patent application and diligence to the filing of the referenced patent application on 09 DECEMBER 2003 from a date prior to the effective dates of both United States Patent Publication No. US 2004/0209641 A1 by Hong which was filed in the United States on 04 September 2003 and claims priority to KR10-2003-0025049 filed having a priority date of 21 April 2003, and United States Patent Publication No. 2005/0085180 A1 filed on 15 October 2003 by Ballay et al., which are relied upon by the Examiner to support a rejection under 35 U.S.C. 103(a) in the Office Action dated 30 June 2005.

The block contains three handwritten marks. On the left is a large, stylized signature that appears to be 'C. Ribeiro'. In the center are the initials 'IL'. On the right is a signature that appears to be 'J. Lee'.

Ribeiro et al.

37 CFR 1.131 Declaration No.2
Appl. No. 10/731,490
Examiner Lee, John J
Art Unit 2684

Atty. Docket No. CS23471RL

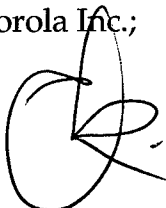
In support of this declaration, Claudio Santiago Ribeiro of Evanston, Illinois, Iulius Lucaci of Evanston, Illinois, and Paul M Pierce of Grays Lake, Illinois declare and say the following:

That we conceived the claimed subject matter of the referenced patent application in the United States before 21 April 2003, the filing date of United States Patent Publication No. 2004/0209641 of Hong, in the course of employment by Motorola Inc., wherein the referenced application has been assigned thereto and a copy of the assignment has been attached as Appendix I;

That the claimed subject matter of the referenced patent application was the subject of a written disclosure prepared after conception, which discloses the conception date that is prior to 21 April 2003 and wherein the written disclosure was submitted in a disclosure form, used by the assignee, Motorola Inc., for the purpose of documenting, considering and maintaining invention disclosures (disclosure attached as Appendix II);

That the conception date which is the earliest verifiable date an individual who is a non-innovator witnessed the claimed subject matter, redacted from the disclosure form attached as Appendix II is prior to 5 January 2000;

That on information and belief on or about 10 July 2003 Motorola Inc. received the disclosure for review and subsequently decided to pursue patent protection on the written disclosure on 25 August 2003, and that thereafter, in due course, a patent application was prepared and filed in the United States Patent Office on 09 DECEMBER 2003 by or on behalf of Motorola Inc.;

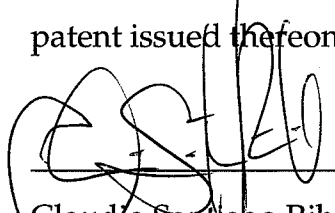
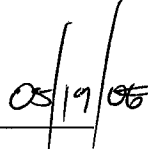
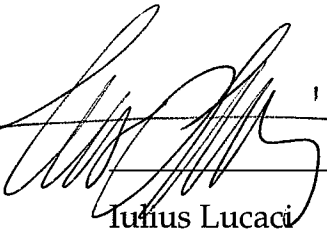
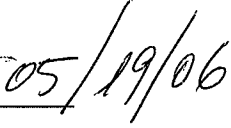
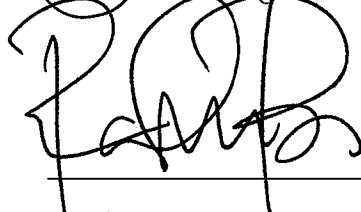
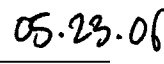
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Ribeiro et al.

37 CFR 1.131 Declaration No.2
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That all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

 _____ Claudio Santiago Ribeiro	 _____ Date	 _____ Julius Lucaci	 _____ Date
 _____ Paul M Pierce	 _____ Date		